

UNITED STATES BANKRUPTCY COURT
Eastern District of Wisconsin

In the Matter of:

Chapter 13

**Chad D Poepppey and
Pamela J Poepppey,**

Case No. **15-32541-GMH**

Debtor(s).

NOTICE AND REQUEST TO MODIFY CHAPTER 13 PLAN

Chad D. Poepppey and Pamela J. Poepppey have filed papers with the court requesting modification of the Chapter 13 Plan in the above case.

Your rights may be affected. You should read these papers carefully and discuss them with your attorney, if you have one in this bankruptcy case. (If you do not have an attorney, you may wish to consult one.)

If you do not want the court to modify the plan as proposed, or if you want the court to consider your views on the request, then on or before 21 days after service of this notice, you or your attorney must:

File with the court a written request for hearing which shall contain a short and plain statement of the factual and legal basis for the objection. File your written request at:

Clerk of Bankruptcy Court
517 E. Wisconsin Avenue
Room 126
Milwaukee, WI 53202-4581

If you mail your request to the court for filing, you must mail it early enough so the court will **receive** it on or before the date stated above.

You must also mail a copy to:

**David G. Kingstad 1011206
Kingstad Law Firm, LLC
8081 West Layton Avenue, Suite C
Greenfield, WI 53220**

If you, or your attorney, do not take these steps, the court may decide that you do not oppose the request and may enter an order modifying the Plan.

**David G. Kingstad
Kingstad Law Firm, LLC
8081 West Layton Avenue, Suite C
Greenfield, WI 53220
414-281-5500
414-281-5444**

REQUEST TO MODIFY CHAPTER 13 PLAN

1. The Proponent of this modification is:

- ☒ the Debtor;
☐ the Chapter 13 Trustee (post-confirmation modifications only);
☐ the holder of an unsecured claim (post-confirmation modifications only).

Name: _____

2. This is a request to modify a Chapter 13 Plan (Select A. or B.):

- ☒ A. post-confirmation;
☐ B. pre-confirmation (Select i. or ii);
- ☐ i. Debtor(s)/Debtor(s) attorney certifies that the proposed modification does not materially adversely affect creditors (Local Bankruptcy Rule 3015(b)); or
- ☒ ii. Debtor(s)/Debtor(s) attorney certifies that the proposed modification materially adversely affects only the following creditors and a copy of the proposed modification has been served on them (Local Bankruptcy Rule 3015(b)).
The creditors affected are: See Affidavit of Service.

3. The Proponent wishes to modify the Chapter 13 Plan to do the following:
See 5A

4. The reason(s) for the modification is/are:
File a feasible Plan and add a supplemental claim.

5. Select A. or B.

☒ A. The Chapter 13 Plan confirmed or modified on 11/4/2015 is modified as follows:
Increase Plan payments to \$635.00 for the remaining 39 months from filing of their case; add The Bank of New York Mellow Trust Company, National Association's supplemental claim (not filed yet) in the amount of \$2,631.21.

☐ B. The unconfirmed Chapter 13 Plan dated _____ is modified as follows:
(State the specific language of the modification.)

All remaining terms and provisions of the Plan are unaffected unless specifically addressed herein. In the event of a conflict between the original Plan and the modification set forth above, the latter shall supersede and control.

6. **BY SIGNING BELOW THE PROPONENT OF THE MODIFICATION CERTIFIES THAT, AFTER REVIEW OF THE MODIFICATION AND ALL OTHER TERMS AND PROVISIONS OF THE PLAN, THOSE REMAINING TERMS AND PROVISIONS OF THE PLAN ARE CONSISTENT WITH THE PROPOSED MODIFICATIONS.**

CERTIFICATION

Complete one of the certifications below:

1. I/We, **Chad D Poepppey** and **Pamela J Poepppey**, the debtor(s) in this case, certify that I/we have reviewed the modification to the Chapter 13 plan proposed in this motion, and I/we authorize my/our attorney to file it with the court.

/s/

Chad D. Poepppey, Debtor

9/7/2017

Date

/s/

Pamela J. Poepppey, Debtor

9/7/2017

Date

OR

2. I **David G. Kingstad**, attorney for debtor(s) Chad D Poepppey Pamela J Poepppey certify that I have reviewed the modification proposed above with the debtor(s), and that the debtor(s) has/have authorized me to file it with the court.

Counsel for the debtor(s)

Date

WHEREFORE, the Proponent requests that the court approve the modification to the Chapter 13 Plan as stated herein.

Dated: September 7, 2017,
at Greenfield, Wisconsin.

Attorneys for Chad D Poepppey and Pamela J Poepppey
By: David G. Kingstad /s/
Kingstad Law Firm, LLC
Bar No. 1011206